Appln. No. 10/086,390
Amendment dated Dec. 05, 2005
Reply to Office action of Aug. 03, 2005
Docket No. BOC9-2001-0020

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of August 03, 2005 (Office Action). This response is filed after the 3-month shortened statutory period along with a petition for a one month extension of time. The Examiner is authorized to charge the requisite fees for filing such a Request to Deposit Account No. 50-3610.

In paragraph 3 of the Office Action, the abstract has been objected to for excessive length and general format considerations. The specification has been amended to as indicated in the amendment to the specification section to overcome this objection.

In paragraph 4, claims 11-13 have been objected to for improper claim dependency. These claims have been amended to overcome this objection.

In paragraph 5, claims 19 and 20 have been rejected under 35 U.S.C. §101 for non-statuary subject matter. The claims have been amended to overcome this rejection.

In paragraph 6, claims 1-9, 19, and 20 have been rejected under U.S.C. §112 for including indefinite subject matter. These claims have been amended to overcome this rejection.

In paragraph 7, claims 2-9, 15, 17, and 18 have been rejected under U.S.C. §112 for including indefinite subject matter. These claims have been amended to overcome this rejection. In light of the amendments to the claims, Applications respectfully request that the objections and rejections to the claims appearing in paragraphs 4-7 of the Office Action be respectfully withdrawn.

In paragraph 8-9, the Examiner has rejected claims 1-20 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,351,776 to O'Brien, et al. (O'Brien). Applicants have amended claims 1-20 to clarify various disclosed aspects of the present invention.

More specifically, Claim 1 has been amended to clarify that a file retrieval system includes a file server, a client machine, and a file transfer server which are remotely located from each other and which are connected via an internet, as supported by FIG. 1,

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FIG. 2, page 1, lines 5-11 and throughout the specification. Claim 1 has also been amended to clarify that the client machine can include a browser that designates a file served by the file server, as supported by page 5, page 1, lines 4-11, by former claim 14 "said user to issue said first request employs a browser program to locate said remote data source", by page 5, lines 19-20, by page 5, lines 33-34, by page 6, lines 13-19, by page 7, lines 13-15, and throughout the specification. The designated file is determined by a URL for a page currently displayed in the Web browser, as supported by page 6, lines 5-7, page 7, lines 13-15.

Claim 1 has also been amended to clarify that the client machine is configured to convey a file request to the file transfer server, as shown in FIG 2, and page 6, lines 8-19. Claim 1 has been amended to emphasize that file transfer server establishes a direct connection with the file server over which the designated file is retrieved, as shown in FIG. 2, and page 6, lines 20-29).

Claim 2 has been amended to clarify that the file request and the download request are performed in a manner transparent to a user of the Web Browser, as supported by page 6, lines 11-13. A software program can pick up the URL of the currently displayed Web page, as supported by page 7, lines 13-15.

Claim 3 has been amended to clarify that the file request includes a URL for a Web page being displayed in the Web browser, as supported by page 6, lines 5-7, page 6, lines 13-19, and page 7, lines 12-15. The file transfer server can identify the file server and the designated file based upon the URL, as supported by page 7, lines 13-18.

Claim 4 has been amended to clarify that a displayed Web page can include multiple hyperlinks, each associated with a file, where multiple files are retrieved responsive to the file request (multiple files are downloaded to the file transfer server), as supported by page 6, lines 5-7 and page 6, lines 16-19.

Claim 5, has been amended to clarify that the client machine is configured to offload a file retrieval process associated with retrieving the designated file to the file

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transfer server to conserve processing resources of the client machine, as supported by page 7, line 30 to page 8, line 11.

Claim 6 has been amended to clarify that a different client machine connected to the internet that has a connection faster than the client machine can retrieve the designated file from the file transfer server, as supported by FIG. 1 and by page 7, lines 19-29.

Claim 7 has been amended to clarify that a firewall that prevents files from being directly transferred from the client machine and the file server, as shown in FIG. 3. Claim 8 has been amended to clarify that the client machine is configured to retrieve the designated file form the transfer server, as shown in FIG. 3. Claim 9 has been amended to clarify that the firewall permits file transfer server to retrieve the designated file from the file server and that the firewall permits the client machine to retrieve the designated file from the file transfer server, as shown in FIG. 3, and supported by page 8, line 12 to page 10, line 10.

Claims 11-20 have been amended to be consistent with the amendments to claims 1-10, as supported by the disclosure as previously noted. No new matter results from the claim amendments.

Before addressing specific claims, a brief overview of the Applicants' claimed invention may prove useful. The Applicants' claimed invention teaches that a Web browser of a client machine can be used to surf the net. Web pages displayed in the Web browser can include hyperlinks to one or more files. A user can convey a request to a file transfer server (that includes a URL to the currently displayed Web page). The file transfer server can detect one or more files associated with the hyperlinks and can directly download the files in a data store remote from the client machine. The user of the client machine can later obtain the downloaded files from the file transfer server.

One situation in which the claimed invention is very useful is when the client machine has a slow internet connection, which makes downloading the files associated

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with the hyperlinks extremely burdensome or time consuming. The invention permits the user of the client machine to offload the "downloading" task to the file transfer server and to continue surfing the Web. At a later time (such as at night or when a faster connection is available) the user can obtain the files from the file transfer server.

Claims 1-20 have been rejected as being anticipated by O'Brien. O'Brien discloses an Internet-based file storage system. A user can log onto the Internet-based file storage system and be granted access to a file storage space unique to that user. The user can upload and download files to this file storage space in a manner similar to a file management application used for storing files on a local computer system.

Additionally, columns 18 and 19 of O'Brien discloses that a user can bypass a local connection by submitting a URL directly to the XDrive network for execution. The file of the URL (which would be a Web document for a Web server or a file for a FTP server as per column 18, line 24 and lines 33-35) can be downloaded to the XDrive system. Once the file has been downloaded to the XDrive system, a user can access the file by accessing the Internet-based file storage system XDrive system.

It should be understood from O'Brien, that when a URL for a Web server is submitted to the XDrive system, a Web page associated with that URL is cached by the Web server. Similarly, when a URL for an FTP server is provide, the file associated with the URL is is downloaded to the XDrive system. Thus, when O'Brien as described functions as either a Web cache for Web sites or as a file store for FTP files.

O'Brien fails to teach or suggest that a Web page associated with a URL can include one or more hyperlinks, where the hyperlinks designate file to be downloaded. Instead, O'Brien teaches that when a URL is associated with a Web page that the Web page is downloaded to an internet storage space (not the files corresponding to hyperlinks contained within the Web page).

O'Brien also fails to teach or suggest that a user is able to display a Web page associated with the URL, when submitting a "skip the download" action. Instead, the

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skip to download command must be submitted via an XDrive interface along with a URL and verification information (column 18, lines 33-45).

The XDrive interface referenced in column 18 is defined by O'Brien (column 3, lines 45-65) as being either a Web interface or a file management interface including an XDrive designator.   If a Web interface (browser) is being used, then a user must provide a URL in the browser associated with the XDrive internet-based storage space or the XDrive Web site. A URL of a not-displayed Web page must be explicitly entered into the XDrive Web site. The other interface of O'Brien, that of a file management application, would also require a user specify a URL of a non-displayed Web site.

Accordingly, the user using a browser to access the XDrive Web page or using an XDrive File Management interface would NOT be inherently surfing the Web (in fact O'Brien teaches away from this). The Web page associated with a URL (to be downloaded) would not be displayed. O'Brien fails to teach or suggest that a user can browse the Web and can remotely offload download task in a user transparent manner, without disrupting the user's Web browsing experience. Consequently, while O'Brien does teach a means for offloading Web page and/or file download tasks to a non-local system, O'Brien does not contemplate a means for doing so in conjunction Web browsing that is unobtrusive while Web browsing.

Turning to the claims, in claims 1, 10, 19, and 20 Applicants claim a Web browser of a client that displays a Web page associated with a URL. The URL of the displayed Web page is conveyed to a file transfer server and associated files are remotely downloaded. O'Brien fails to teach or suggest that a Web page associated with a URL is displayed in a Web browser.

In claim 2, Applicants claim that a file request and the conveying of a URL are performed in a manner transparent to a user of the Web browser, which is not taught or suggested by O'Brien.

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In claims 2 and 19, Applicants claim that a program automatically includes a URL of a displayed Web page in the file request, which is not taught or suggested by O'Brien.

In claims 3, 10, 19, and 20, Applicants claim that a displayed Web page includes at least one hyperlink and that the file transfer server detects the file associated with the hyperlink from a URL of the Web page. O'Brien fails to teach or suggest this limitation.

In claims 4, 18, and 19 Applicants claim that a multiple hyperlinks can be included with a displayed Web page associated with a URL. The file transfer server can automatically download each file associated with each of the hyperlinks (multiple files) responsive to receiving the file request. O'Brien fails to teach or suggest this limitation.

Applicants have shown how O'Brien fails to explicitly or inherently teach each limitation contained within claims 1-20. Accordingly, the 35 U.S.C. § 102(e) rejections to claims 1-20 should be withdrawn, which action is respectfully requested.

The Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: 5 December 2005

Brian K. Buchheit, Registration No. 52,667
PATENTS ON DEMAND
Customer No. 57736
4581 Weston Road #345
Weston, FL 33331
Telephone: (305) 761-1972

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